

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6476

BILL NUMBER: HB 1098

DATE PREPARED: Dec 7, 2000

BILL AMENDED:

SUBJECT: Judgment of Conviction.

FISCAL ANALYST: Mark Goodpaster

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FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: Local

Summary of Legislation: This bill allows a court to withhold judgment of conviction and delay sentencing a defendant under an agreement: (1) entered into by the defendant and the prosecuting attorney; and (2) approved by the court. It allows the court to impose requirements and conditions on the defendant in addition to any requirements and conditions described in the agreement approved by the court.

Effective Date: July 1, 2001.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Some counties reportedly delay sentencing criminal defendants who have been found guilty of a crime if they participate in programs offered by either the courts or the prosecuting attorneys of these counties. Defendants who comply with the conditions set by the court and the prosecuting attorney can avoid incarceration. Programs such as these can reduce the number of offenders who would otherwise be incarcerated in county jails.

If this practice is included in statute and more courts withhold judgment and delay sentencing, then the number of offenders entering county jails may be reduced.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Trial courts, local jails.

Information Sources: Lighty v. State of Indiana, 727 N.E. 2d 1094.